

March 24, 2006

**VIA HAND-DELIVERY:**

Charles L.A. Terreni, Chief Clerk & Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Re: Notification of Name Change From ITC^DeltaCom Communications,  
Inc., d/b/a ITC^DeltaCom to DeltaCom, Inc.  
Docket Nos. 95-1208-C and 96-314-C

Dear Mr. Terreni:

Enclosed please find for filing, please find the original and fifteen copies of a Notification of Name Change in the above-reference matter along with a Certificate of Service on the Office of Regulatory Staff for filing. Also, I have enclosed two extra copies which I would request you date stamp and return to me via courier.

As you will see in the pleading, the name change will not have an impact on ITC^DeltaCom customers or services. ITC^Deltacom expects to begin using the new name on or after April 3, 2006; therefore, we respectfully request the Commission approve this at its earliest convenience.

Thank you for your assistance with this matter. If you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,



Robert E. Tyson, Jr.

RETjr:alw

Enclosures

cc: C. Dukes Scott, Esquire, Executive Director Office of Regulatory Staff  
Florence P. Belser, Esquire, General Counsel Office of Regulatory Staff  
D. Anthony Mastando, Esquire

Robert E. Tyson, Jr.  
rtyson@sowell.com  
DD 803.231.7838

1310 Gadsden Street  
Post Office Box 11449  
Columbia, SC 29211

Phone: 803.929.1400  
Fax: 803.929.0300  
Website: www.sowell.com

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

In Re: Application of ITC^DeltaCom )  
Communications, Inc. for a Certificate )  
of Public Convenience and Necessity to )  
Provide Intrastate Resale and Operator )  
Assisted Telecommunications in the )  
State of South Carolina )

**DOCKET NO. 95-1208-C**

and )

Application of ITC^DeltaCom )  
Communications, Inc. for a Certificate of )  
Public Convenience and Necessity to )  
Provide Local Exchange )  
Telecommunications Services in the )  
State of South Carolina )

**DOCKET NO. 96-314-C**

RECORDED  
2001 MAR 24 PM 4:21  
SOUTH CAROLINA  
PUBLIC SERVICE COMMISSION

**NOTIFICATION OF THE NAME CHANGE FROM ITC^DELTACOM  
COMMUNICATIONS, INC., D/B/A ITC^DELTACOM TO  
DELTACOM, INC.**

ITC^DeltaCom Communications, inc., d/b/a ITC^DeltaCom ("ITC Delta^Com"), by its attorneys and pursuant to Regulation 103-836 of South Carolina Public Service Commission, Rules and Regulations of Practice and Procedure, hereby petitions the South Carolina Public Service Commission ("Commission") for corporate name change authority. ITC^DeltaCom specifically seeks authority to change its legal corporate name to DeltaCom, Inc. In support of its Notification, ITC^DeltaCom states as follows:

**I. IDENTIFICATON OF THE PETITIONER**

ITC^DeltaCom's name, address, and telephone number are:

ITC^DeltaCom Communications, Inc.  
7037 Old Madison Pike  
Huntsville, Alabama 35806  
Telephone: 256-382-5900

ITC^DeltaCom is a corporation created and existing under the laws of the State of Alabama, with its principal office located at the above address. ITC^DeltaCom provides international and domestic interstate, intrastate and local telecommunications services. The Commission granted ITC^DeltaCom authority to provide intrastate long distance under Docket No. 95-1208-C and local service under Docket No. 96-314-C. Additional information about ITC^DeltaCom is available at [www.deltacom.com](http://www.deltacom.com)

## **II. CONTACT INFORMATION**

Correspondence or communication concerning this Notification should be addressed to:

D. Anthony Mastando  
DeltaCom, Inc.  
7037 Old Madison Pike  
Huntsville, Alabama 35806  
Telephone: 256-382-3856  
Email: [tony.mastando@itcdeltacom.com](mailto:tony.mastando@itcdeltacom.com)

Robert E. Tyson, Jr.  
Sowell Gray Stepp & Laffitte, LLC  
Post Office Box 11449  
Columbia, SC 29211  
Telephone: 803-929-1400  
Email: [rtyson@sowell.com](mailto:rtyson@sowell.com)

## **III. CORPORATE NAME CHANGE**

On February 21, 2006, ITC^DeltaCom filed in the Probate Court of Marshall County, Alabama, an Articles of Amendment to Articles of Incorporation changing its name to DeltaCom, Inc., as was duly approved by the company's Board of Directors. Adoption of DeltaCom, Inc. as ITC^DeltaCom's legal corporate name was certified by the Office of the Secretary of State of the State of Alabama, ITC^DeltaCom's state of incorporation, as evidence by the Alabama Secretary of State's Certificate of Authority,

attached hereto as **Exhibit A**. ITC^DeltaCom has further registered its new corporate name with the Office of the Secretary of State of South Carolina, as evidenced by the State registration document attached hereto as **Exhibit B**.

The purpose of ITC^DeltaCom's name change is to enable ITC^DeltaCom to simplify and to align its legal corporate name with how ITC^DeltaCom is today identified to, and recognized by, its customers and the general public. The requested name change authority exclusively entails a change in legal corporate name and is not sought in conjunction with any merger, acquisition, consolidate or other change in corporate structure or ownership that would require separate Commission authority.

ITC^DeltaCom requests that the Commission change the certificates of public convenience and necessity held by ITC^DeltaCom Communications, Inc. to reflect the name change to DeltaCom, Inc." As the name change is completed, DeltaCom, Inc. will file revised tariff sheets as appropriate in connection with the name change. These tariff changes will not revise the rates, terms or conditions of any services currently offered.

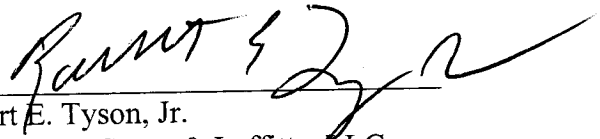
#### **IV. EFFECT OF NAME CHANGE**

The name change will have no impact on customers or services. Customers will be provided notice of the name change via a post card. ITC^DeltaCom expects to begin using the new name on or after April 3, 2006.

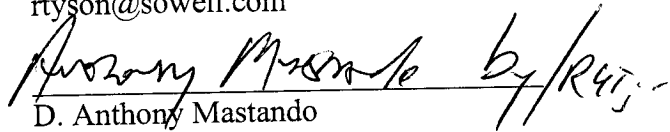
#### **V. CONCLUSION**

WHEREFORE, ITC^DeltaCom respectfully requests corporate name change authority, authorizing it to change its legal corporate name to DeltaCom, Inc. by April 3, 2006 or at the soonest date practicable.

Respectfully submitted this 24<sup>th</sup> day of March.



Robert E. Tyson, Jr.  
Sowell Gray Stepp & Laffitte, LLC  
1310 Gadsden Street  
Post Office Box 11449  
Columbia, South Carolina 29211  
(803) 929-1400  
[rtyson@sowell.com](mailto:rtyson@sowell.com)



D. Anthony Mastando  
Vice President, Regulatory/  
Senior Regulatory Attorney  
DeltaCom, Inc.  
7037 Old Madison Pike  
Huntsville, Alabama 35803  
(256) 382-3856  
[Tony.mastando@itcdeltacom.com](mailto:Tony.mastando@itcdeltacom.com)

EXHIBIT A

Nancy L. Worley  
Secretary of State

P.O. Box 5616  
Montgomery, AL 36103-5616

# STATE OF ALABAMA

I, Nancy L. Worley, Secretary of State of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that

that the domestic corporate records on file in this office disclose that ITC ^ DeltaCom Communications, Inc. incorporated in Marshall County on April 7, 1982; that on February 21, 2006 the name was changed to DeltaCom, Inc. I further certify that the records do not disclose that said DeltaCom, Inc. has dissolved.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day.

03/15/06



Date

*Nancy L. Worley*

Nancy L. Worley

Secretary of State

## EXHIBIT B

CERTIFIED TO BE A TRUE AND CORRECT COPY  
AS TAKEN FROM AND COMPARED WITH THE  
ORIGINAL ON FILE IN THIS OFFICE

MAR 13 2006

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

Mark Hammond  
SECRETARY OF STATE OF SOUTH CAROLINA  
APPLICATION FOR AN AMENDED CERTIFICATE  
OF AUTHORITY BY A FOREIGN CORPORATION  
TO TRANSACT BUSINESS IN SOUTH CAROLINA

## TYPE OR PRINT CLEARLY WITH BLACK INK

Pursuant to Section 33-15-104 of the 1976 South Carolina Code of Laws, as amended, the undersigned corporation hereby applies for an amended certificate of authority to transact business in the State of South Carolina and for that purpose submits the following statement:

1. The name of the corporation is ITC^DeltaCom Communications, Inc.
- 1a. The above named corporation received a Certificate of Authority to transact business in South Carolina on 12/06/1991.
2. This application is filed for the following reason (complete all applicable items):
  - ☒ a. The corporation has changed its corporate name as follows DeltaCom, Inc.
  - ☐ b. The corporation has changed its duration to \_\_\_\_\_
  - ☐ c. The corporation has changed the state or country of its incorporation to \_\_\_\_\_
3. The name of the corporation for the purpose of transacting business in South Carolina is (See Sections 33-4-101 and 33-15-106) and see Section 33-19-500(b)(1) if the corporation is a professional corporation \_\_\_\_\_
4. It is incorporated as (check applicable item) ☒ a general business corporation, ☐ a professional corporation under the laws of the state of Alabama
5. The date of its incorporation is 04/07/1982 and the period of its duration is perpetual
6. The address of the principal office of the corporation in the jurisdiction of its incorporation is \_\_\_\_\_  
7037 Old Madison Pike in the city of Huntsville  
 \_\_\_\_\_  
 Street Address  
 and the state of AL \_\_\_\_\_  
 \_\_\_\_\_  
 Zip Code
7. The address of the registered office in the state of South Carolina is 5000 Thurmond Mall Blvd.  
 \_\_\_\_\_  
 Street Address  
 in the city of Columbia, South Carolina 29201  
 \_\_\_\_\_  
 Zip Code
8. The name of the registered agent in this state at such address is Corporation Service Company
9. The name and usual business address of the corporation's directors (if the corporation has no directors, then the name and address of those persons who are exercising the statutory authority of directors on behalf of the corporation) and principal officers:

060313-0141  
DELTA COM, INC.

FILED: 03/13/2006

Filing Fee: \$110.00 ORIG



Mark Hammond

South Carolina Secretary of State

ITC^DeltaCom Communications, Inc.

Name of Corporation

a) Name of Directors Business Address

See attached Officers and Directors rider

b) Name and Office of Principal Officers Business Address

see attached

10. The aggregate number of shares which the corporation has authority to issue, itemized by classes and series, if any, within a class:

Class of Shares (and Series, if any)	Authorized No. of Each Class (and Series)
Common	80,000

11. Unless a delayed date is specified, this application shall be effective when accepted for filing by the Secretary of State (See Section 33-1-230): \_\_\_\_\_

Date March 3, 2006

DeltaCom, Inc.

Name of Corporation

Signature of Officer

Donald J. Hellwege, VP

Type or Print Name and Office



# ITC DELTACOM®

## 2005 Board of Directors

<u>Name / Title / Bus. Address</u>	<u>Office/Fax/Cell #</u>	<u>Email</u>	<u>Asst. Name/E</u>	<u>Home Add. / Home #</u>	<u>Other Address / Phone #s</u>
Thomas E. McInerney Chairman of ITC D Board Welsh, Carson, Anderson & Stowe 320 Park Avenue, Suite 2500 New York, NY 10022	212.893.9517 212.893.9564 917.374.7275	timcinerney@welshcarson.com	Peggy McShane 212.893.9527 pmcshane@welshcarson.com	255 E. 49th Street, Apt PH-B New York, NY 10017 212.750.0779 212.750.0796 (fax)	Weekend home - 16 Bluff Point Westport, CT 06880 203.855.9454 203.838.1786 (fax)
Randall (Randy) E. Curran, CEO ITC/DeltaCom 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3820 256.382.3935 706.773.0837	randy.curran@itcdellacom.com	Terrasa Mullins 256.382.3817 terresa.mullins@itcdellacom.com	3 Sandy Lake Road Englewood, CO 80113 303.806.0515	
Clyde Heintzelman	240.893.7777	cheintzelman1@verizon.net		15105 Sunflower Ct. Rockville, MD 20853-1749 301.928.1472	Summer address - 6 Edenweiss Way Falkton, MD 21120 410.357.8989
John J DeLuca	347.837.3069	johnjdeluca@aol.com		314 Ardmore Road Ho-Ho-Kus, New Jersey 07423 201.445.4736 201.445.0284 (fax)	Weekend home - 124 East Colorado Avenue Haven Beach Long Beach Island, NJ 08008
Gerald McCauley	404.863.1954	gmccauley@bellsouth.net		1964 Crabourne Court Dunwoody, GA 30338	Vacation home - 9970 Misty Cove Lane Gainesville, GA 30506-5896
Anthony J. de Nicola Welsh, Carson, Anderson & Stowe 320 Park Avenue, Suite 2500 New York, NY 10022	212.893.9521 212.893.9562 917.825.8499	idenicola@welshcarson.com	Nancy Davila 212.893.9503 ndavila@welshcarson.com	214 Green Ridge Road Franklin Lakes, NJ 07417 201.847.0380 201.847.8580 (fax)	
Sanjay Swani Welsh, Carson, Anderson & Stowe 320 Park Avenue, Suite 2500 New York, NY 10022	212.893.9510 212.893.9561 917.270.7675	sswani@welshcarson.com	Slophan O'Carroll 212.893.9526 socarroll@welshcarson.com	33 East End Avenue, Apt. #5-C New York, NY 10028 212.535.1296 212.535.2494 (fax)	
John Almeida Welsh, Carson, Anderson & Stowe 320 Park Avenue, Suite 2500 New York, NY 10022	212.893.9567 212.893.9562 917.579.5690	jalmeyda@welshcarson.com	Lynnda Vedowitz 212.893.9566 lvedowitz@welshcarson.com	118 Dann Farm Road Pound Ridge, NY 10576 914.764.4381 914.764.4382 (fax)	
Steve Chang Tennenbaum Capital Partners 2951 28th Street, Suite 1000 Santa Monica, CA 90405	310.566.1035 310.899.4950 858.337.1872	steve.chang@tennenbaumcapital.com	Sonia Smith 310.899.4935 sonia.smith@tennenbaumcapital.com	2532 Carlinela Avenue #5 Los Angeles, CA 90064	
Michael Leliner Tennenbaum Capital Partners 2951 28th Street, Suite 1000 Santa Monica, CA 90405	310.566.1039 310.899.4937 206.617.7182	michael.leliner@tennenbaumcapital.com	Nicole Barber 310.899.4909 nicole.barber@tennenbaumcapital.com	23104 Park Marco Polo Calabasas, CA 91302 818.225.1176	

**ITC DELTACOM®**  
**2005 Officers**

<i>Name / Title / Address</i>	<i>Office/Fax</i>	<i>Home Address</i>
<b>Randy (Randall) Curran</b> <b>Chief Executive Officer</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3820 256.382.3935	3 Sandy Lake Road Englewood, CO 80113
<b>Rich (Richard) Fish</b> <b>Chief Financial Officer</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3827 256.382.3935	5452 S. Geneva Street Englewood, CO 80111
<b>Jim Smith</b> <b>Chief Information Officer</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3952 256.382.3936	11043 Pine Valley Drive Franktown, CO 80116
<b>Jim (James) O'Brien</b> <b>Exec. Vice Pres., Network Serv.</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3910 256.382.3936	3102 Tantalum Cir. SE Owens Crossroads, AL 35763
<b>Tom (J. Thomas) Mullis</b> <b>Senior Vice Pres., Gen Counsel, Sec.</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3842 256.382.8802	112 Stargate Drive Madison, AL 35758

# ITC DELTACOM®

## 2005 Officers

Name / Title / Address	Office/Fax	Home Address
<b>John Colgan</b> Senior Vice Pres. Finance, Treasurer 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3933 256.264.9924	9371 E. Pioneer Drive Parker, CO 80138
<b>Chris Hoffman</b> Sr. Vice President, Retail Sales 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3870 256.382.3935	3017 Hampton Cove Way Hampton Cove, AL 35763
<b>Sarah Beth Murphy</b> Senior VP, Strategic & Fin Planning 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3953 256.382.3935	5055 E. Paseo Way Phoenix, AZ 85044
<b>Sara Plunkett</b> Senior Vice Pres., Fin/Acct. 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3918 256.382.3932	PO Box 632 Arab, AL 35016
<b>John Williams</b> Vice President, Human Resources 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3815	2465 Oakwood Avenue NE Huntsville, AL 35811
<b>Lee Kimball</b> Vice Pres., Marketing/Prod. Dev. 4300 Six Forks Road Raleigh, NC 27609	919.863.7149 919.863.7222	12505 Fieldland Court Raleigh, NC 27614
<b>Pam (Pamela) Schaad</b> Vice President, ITS 4300 Six Forks Road Raleigh, NC 27609	919.863.7035 919.863.3106	152 Sunsel Cove Lane Manson, NC 27553
<b>Randy Tucker</b> Vice President, Account Services 8830 US Hwy 231 N Arab, AL 35016	256.264.2713 256.264.2718	1945 Hickory Trail Arab, AL 35016
<b>David Harwell</b>	256.382.2105	1412 Dale Circle

# ITC DELTACOM<sup>®</sup> 2005 Officers

<i>Name / Title / Address</i>	<i>Office/Fax</i>	<i>Home Address</i>
<b>Vice President, Systems</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.2295	Huntsville, AL 35801
<b>David Hill</b> <b>Vice President, Engineering</b> 1809 Hilyer Robinson Parkway Anniston, AL 36207	256.241.3799 256.241.4445	1915 Red Oak Lane NE Arab, AL 35016
<b>Chris Haworth</b> <b>Vice President, Business Planning</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.5997 256.382.3935	7982 Yorkshire Drive Castle Rock, CO 80108
<b>David McPeters</b> <b>Vice President, IT - Network Oper.</b> 1530 DeltaCom Drive Anniston, AL 36207	256.241.4254	8425 E. Lightening View Drive Parker, CO 80134
<b>Don Hellwege</b> <b>Vice President &amp; Asst. Gen. Coun</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3861 256.382.3936	194 Shelton Road, #132 Madison, AL 35758
<b>Jerry Watts</b> <b>Vice Pres., Gov't &amp; Industry Aff.</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3942 256.382.3969	1012 Watermill Circle Birmingham, AL 35242
<b>Tony (D. Anthony) Mastando</b> <b>Vice President, Regulatory Affairs</b> 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806	256.382.3856 256.382.3936	
<b>Steven Brownworth</b> <b>Vice President, Network Planning</b> 1791 O.G. Skinner Drive West Point, GA 31833	706.385.8070 706.385.8804	20 Turkey Point Drive LaGrange, GA 30240
<b>Frank Wilcox</b>	706.385.8300	121 Crestview Road

**ITC DELTACOM<sup>®</sup>**  
**2005 Officers**

<i>Name / Title / Address</i>	<i>Office/Fax</i>	<i>Home Address</i>
<b>Vice President, Network Oper.</b> 1791 O.G. Skinner Drive West Point, GA 31833	706.385.8810	West Point, GA 31833
<b>Hal (Harold) Cowan</b> <b>Vice President, Procurement Ser.</b> 1791 O.G. Skinner Drive West Point, GA 31833	706.385.8060 706.385.8811	20 Retreat Court Newnan, GA 30263
<b>Ron Gray</b> <b>Vice President, Market Optimization</b> 4300 Six Forks Road Raleigh, NC 27609	919.863.7005 919.863.7336	108 Meadowstone Court Cary, NC 27513
<b>Steve Furtick</b> <b>Vice President, Operator Services</b> 1530 DeltaCom Drive Anniston, AL 36207	256.241.4428 256.241.6890	198 Wysteria Circle Oxford, AL 36203
<b>Tom Schroeder</b> <b>Senior Vice President, Carrier Sales</b> 1791 O.G. Skinner Drive West Point, GA 31833	706.385.8020 706.385.8802	625 Boat Club Road Hamilton, GA 31811
<b>Tommy Bone</b> <b>Vice President, Retail Sales SW</b> 1430 I-85 Parkway, Suite 400 Montgomery, AL 36106	334.387.4705 800.239.1696	416 Towne Lake Place Montgomery AL 36117
<b>Wade Thompson</b> <b>Vice President, Retail Sales SE</b> 800 N Magnolia Avenue, Suite 1200 Orlando, FL 32803	407.367.2315 407.367.2321	1728 N Central Ave Flagler Beach, Florida 32136
<b>Bill (William T.) Koepsel</b> <b>Vice President, Retail Sales NW</b> One Perimeter Park S, Suite 375 S Birmingham, AL 35243	205.380.3001 205.380.3059	3620 Oakdale Dr. Birmingham, AL 35223
<b>David Jacobs</b> <b>Vice President, CNA</b>	256.382.3850 256.382.3997	36 Savannah Circle Union Grove, AL 35175

**ITC DELTACOM®**  
**2005 Officers**

<i>Name / Title / Address</i>	<i>Office/Fax</i>	<i>Home Address</i>
7037 Old Madison Pike, Suite 600 Huntsville, AL 35806		
<b>Greg Hackney</b> <b>Vice President, Retail Sales NE</b> 4300 Six Forks Rd Raleigh, NC 27610	919.865.6824 919-277-7140	30 Bosun Way Delray Beach, FL 33483
<b>Keith Owens</b> <b>Vice President, CNA TCS</b> One Perimeter Park S Suite 375 S Birmingham, AL 35243	205.380.3008 205.380.3090	5127 Summer Place Parkway Hoover, AL 35244
<b>Robert Buffa</b> <b>Vice President, Dealer Services</b> 600 Corporate Drive, Suite 100 Ft. Lauderdale, FL 33334	954.332.5858 954.332.5861	15627 Messina Isles Court Delray Beach, FL 33446

**CERTIFICATE OF SERVICE**

I, the undersigned employee of the law offices of Sowell Gray Stepp & Laffitte, L.L.C., attorneys for ITC^DeltaCom do hereby certify that I have served a copy of the pleading(s) hereinbelow specified via United States mail, postage prepaid to the following address(es):

**Pleadings:**

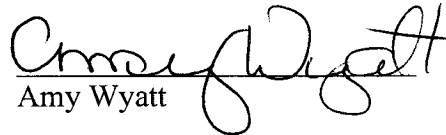
**Notification of Name Change**

**Counsel Served:**

C. Dukes Scott, Esquire  
Executive Director Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211

Florence Belser, Esquire  
General Counsel Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211

March 24, 2006

  
Amy Wyatt